

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

Emergency Rules

SCHOOL HEALTH CENTERS

The DEPARTMENT OF PUBLIC HEALTH adopted an emergency amendment to the Part titled School-Based/Linked Health Centers (77 IAC 641; 44 Ill Reg 16004) effective 9/10/20 for a maximum of 150 days. This amendment replaces an emergency rule that was effective 4/2/20 and expired on 8/29/20. The emergency rule extends DPH certification for certified school-based/linked health centers (which normally must be renewed every 2 years) for the duration of the emergency rule so that DPH can complete its on-site inspections and assess program and financial reports required for recertification. School districts with school-based or linked health centers may be affected by this emergency rule.

Questions/requests for copies:
Erin Conley, DPH, 535 W.

COVID-19 ACTIONS

Numerous Executive Orders and emergency rules have been issued in response to the COVID-19 pandemic. Executive Orders of the Governor concerning this pandemic can be accessed at <https://www2.illinois.gov/government/executive-orders>. Emergency rules adopted by State agencies will be summarized in The Flinn Report as they are published in the *Illinois Register*.

Jefferson St., 5th Fl., Springfield IL 62761, 217/782-2043, dph.rules@illinois.gov

IELRB PROCEDURES

The ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD adopted an emergency amendment to General Procedures (80 IAC 1100; 44 Ill

Adopted Rule

HORSE RACING

The ILLINOIS RACING BOARD adopted amendments to Medication (11 IAC 603; 44 Ill Reg 3315), effective 10/1/20, updating its incorporation of the Uniform Classification Guidelines for Foreign Substances issued by the Association of Racing Commissioners International (ARCI). The most recent version of the ARCI guidelines (version 14.1, dated January 2020) and the threshold medication levels contained in ARCI's medication schedule 4.2 will be cited in this rule.

Questions/requests for copies:
Mickey Ezzo, IRB, 100 W. Randolph, Suite 5-700, Chicago IL 60601, 312/814-5017, Mickey.ezzo@illinois.gov

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ADOPTED RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.
PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.
PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.
■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.
QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.
RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

Emergency Rules

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Reg 15998) effective 9/9/20 for a maximum of 150 days. The emergency rule allows the Board and the parties to Board proceedings to serve documents such as complaints, petitions, hearing notices, final opinions and

subpoenas by e-mail. Documents containing protected confidential or personally identifying information and documents showing interest in a representation petition will not be served by e-mail. Parties or their representatives must provide an e-mail address at which service will

be accepted and notify the Board of any change of e-mail address.

Questions/requests for copies: Ellen M. Strizak, IELRB, 160 N. LaSalle St., Suite N-400, Chicago IL 60601-3103, 312/793-3170, ellen.strizak@illinois.gov

Proposed Rulemakings

STATE EMPLOYEES

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES proposed amendments to Pay Plan (80 IAC 310; 44 Ill Reg 15842) reflecting recent collective bargaining agreements and updates to job titles and pay rates. The rulemaking implements 4-year contracts with Teamsters Locals 700 (Cook County), 330 (Fox Valley), 916 (technical/engineering employees), and Downstate Teamsters, establishing pay rates for the period 7/1/19 through 6/30/23. It also updates pay rates based on prevailing wages for boiler safety specialist and boiler safety audit specialists in the Northern Region of Illinois effective 5/1/20; adds the gaming license specialist title to an AFSCME bargaining unit;

and removes an obsolete in-hire rate for Department of Natural Resources Conservation/Historic Preservation workers.

Questions/requests for copies/ comments through 11/9/20: Jason Doggett, CMS, 504 Stratton Bldg., Springfield IL 62706, 217/782-4267, CMS.PayPlan@illinois.gov

SURS TRUSTEE ELECTIONS

The STATE UNIVERSITIES RETIREMENT SYSTEM proposed an amendment to Universities Retirement (80 IAC 1600; 44 Ill Reg 15979) establishing the procedure for SURS trustee elections in which the number of winning candidates exceed the number of seats allotted to persons affiliated with

the University of Illinois as either current employees or retirees. (Existing statute and rule limits current UI employees to 2 seats and retired UI employees to 1 seat.) If the number of candidates with the highest vote totals exceed these limits (e.g., the top 3 vote getters are all UI retirees) the candidates shall be seated in order beginning with the longest term available until the limit is reached; then remaining UI affiliated candidates will be disqualified and remaining seats will be filled by non-UI candidates receiving the highest number of votes for that seat.

Questions/requests for copies/ comments through 11/9/20: Albert J. Lee, SURS, 1901 Fox Drive, Champaign IL 61820, 217/378-8861.

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the October 14, 2020 JCAR meeting. Other items not published in the *Illinois Register* or Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

DEPT OF CHILDREN AND FAMILY SERVICES

Licensing Standards for Day Care Centers (89 IAC 407; 44 Ill Reg 12694) proposed 7/31/20

IL COMMUNITY COLLEGE BOARD

Administration of the Illinois Public Community College Act (23 IAC 1501; 44 Ill Reg 10855) proposed 6/26/20

Administration of the Illinois Public Community College Act (23 IAC 1501; 44 Ill Reg 11303) proposed 7/10/20

IL EMERGENCY MANAGEMENT AGENCY

Political Subdivision Emergency Services and Disaster Agencies (29 IAC 301; 44 Ill Reg 11354) proposed 7/10/20

DEPT OF EMPLOYMENT SECURITY

Claims, Adjudication, Appeals and Hearings (56 IAC 2720; 44 Ill Reg 12052) proposed 7/24/20

Administrative Hearings and Appeals (56 IAC 2725; 44 Ill Reg 12055) proposed 7/24/20

Academic Personnel (56 IAC 2915; 44 Ill Reg 12058) proposed 7/24/20

DEPT OF FINANCIAL & PROFESSIONAL REGULATION

Transmitters of Money Act (38 IAC 205; 44 Ill Reg 11364) proposed 7/10/20

DEPT OF INSURANCE

Medical Necessity Criteria for Serious Mental Illnesses for Individuals Under the Age of 26 (50 IAC 2035; 44 Ill Reg 11378) proposed 7/10/20

DEPT OF PUBLIC HEALTH

Skilled Nursing and Intermediate Care Facilities Code (77 IAC 300; 44 Ill Reg 435) proposed 1/10/20

STATE UNIVERSITIES CIVIL SERVICE SYSTEM

State Universities Civil Service System (80 IAC 250; 44 Ill Reg 8192) proposed 5/15/20